

House Bill 956 (COMMITTEE SUBSTITUTE)

By: Representatives Powell of the 171st, Willard of the 49th, Jacobs of the 80th, Ramsey of the 72nd, Collins of the 27th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 5-6-48 of the Official Code of Georgia Annotated, relating to
2 grounds for dismissal of appeal, so as to provide that certain appeals improperly filed may
3 be dismissed by the court; to provide for related matters; to repeal conflicting laws; and for
4 other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 5-6-48 of the Official Code of Georgia Annotated, relating to grounds for
8 dismissal of appeal, is amended by revising subsection (b) as follows:

9 "(b) No appeal shall be dismissed or its validity affected for any cause nor shall
10 consideration of any enumerated error be refused, except:

11 (1) For failure to file notice of appeal within the time required as provided in this article
12 or within any extension of time granted hereunder;

13 (2) Where the decision or judgment is not then appealable; ~~or~~

14 (3) Where the questions presented have become moot; or

15 (4) Where the appeal was filed as a direct appeal pursuant to Code Section 5-6-34 but
16 should have been filed as an application for appeal pursuant to Code Section 5-6-35."

17 **SECTION 2.**

18 All laws and parts of laws in conflict with this Act are repealed.